

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Applicants acknowledge with appreciation the indication in the Office Action that claims 6-8, 13-17, 24-26, and 31-35 are allowable. Claims 1-36 have been canceled in favor of new claims 37-58. New claims 37-58 have been drafted to avoid the issues underlying the objections and indefiniteness rejections applied to claims 1, 2, 5, 16, 20, 24, and 31.

Independent claim 37 recites features of claims 1 and 2 and allowable claims 6 and 7. Claim 38 recites features of allowable claim 8 and depends from claim 37. Therefore, allowance of claims 37 and 38 is deemed to be warranted.

Independent claim 48 recites features of claims 19 and 20 and allowable claims 24 and 25. Claim 49 recites features of allowable claim 26 and depends from claim 48. Therefore, allowance of claims 48 and 49 is deemed to be warranted.

Independent claim 39 recites features of claims 1 and 9. Claims 40-47 recite features of claims 10-17 and depend from claim 39.

Independent claim 50 recites features of claims 19 and 27. Claims 51-58 recite features of claims 38-35 and depend from claim 50.

Claims 1-5, 9-12, 18-23, 27-30, and 36 were rejected, under 35 USC §102(e), as being anticipated by Ji et al. (US 2003/0185233). To the extent these rejections may be deemed applicable to new claims 39-47 and 50-58, the Applicants respectfully traverse based on the points set forth below.

Independent claim 39 defines a communication terminal apparatus having an operation unit, belonging to a predetermined layer, that determines which of a plurality of processing units belonging to a lower layer is connectable to a desired connection target based on route information received from an operation unit of the lower layer.

The Office Action proposes that Ji's link sensing module 514 corresponds to the claimed operation unit of the lower layer and that link sensing module 514 performs link detection and selection (see Office Action page 7, last four lines).

However, Ji's disclosure of selecting a link based on link quality, link technology, or link cost is not the same as, or similar to, the claimed subject matter of determining, based on route information, which of a plurality of processing units is connectable to a desired connection target.

Ji does not disclose that link sensing module 514 notifies an upper layer operation unit (i.e., LMM 510) of route information indicating a connection target for each of a plurality of lower layer processing units (i.e., MAC processing units 532). Since Ji's link sensing module 514 does not notify LMM 510 of each MAC processing unit 532's connection target, it necessarily follows that LMM 510 cannot use such nonexistent notification to select a particular MAC processing unit 532 for communicating with a desired connection target. Thus, Ji does not disclose the claimed subject matter of an operation unit, belonging to a predetermined layer, that determines which of a plurality of processing units belonging to a lower layer is connectable to a desired connection target based on route information received from an operation unit of the lower layer.

Accordingly, the Applicants submit that Ji does not anticipate the subject matter defined by new claim 39. Independent claim 50 similarly recites the above-mentioned subject matter

distinguishing apparatus claim 39 from Ji, but with respect to a method. Therefore, allowance of claims 39 and 50 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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